



**State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-2867



October 12, 2001

**Certified Mail
Return Receipt Requested**

**Letter of Deficiency
No. WMD 01-25**

W. Fred Lenz, P.E.
Senior Vice President
GZA GeoEnvironmental, Inc.
380 Harvey Road
Manchester, NH 03103-3347

Re: HWI 01-63; 70 Pembroke Road, Concord, NH

Dear Mr. Lenz:

On August 1, 2001, personnel from the Department of Environmental Services, Waste Management Division (DES) investigated a complaint from local residents relative to a foul smelling liquid being discharged into the street at the former Vishay Sprague, Inc. facility located at 70 Pembroke Road, Concord, NH (Site). The purpose of this investigation was to determine GZA GeoEnvironmental, Inc.'s (GZA) compliance status relative to RSA 149-M and rules adopted pursuant thereto relative to the proper disposal of solid waste.

During the investigation, DES personnel observed or learned the following:

1. GZA was conducting bioremediation of contaminated groundwater at the Site using a lactose/yeast solution.
2. Stains and a puddle of an opaque liquid were observed in the road indicating that the liquid had run down the street from the area of two wells at the Site.
3. A 4' x 8' area of a grayish, fine granular and coarse granular substances had been deposited in the woods adjacent to the well area. The vegetation in the immediate area of these materials was dead. DES personnel learned that this was a mixture of unused lactose and yeast.
4. The GZA project manager informed DES personnel that the well had been purged prior to sampling. This was the first time the well had been sampled since it was treated with the lactose/yeast solution three weeks prior. DES personnel also learned that approximately 100-gallons of purge water had been directed towards the street.

5. DES personnel learned that discharging the lactose/yeast solution directly to the ground was normal protocol for GZA.
6. GZA personnel agreed to clean-up the released material (lactose/yeast solution) using a wet/dry vacuum and towels, and to remove the pile of solid lactose/yeast mixture for reuse.
7. A Report of Initial Complaint Investigation (RICI) was issued to GZA directing them to clean up the released material by August 3, 2001, and to submit a written report to DES.

This letter serves to inform you that the above referenced Site condition constitutes a violation of RSA 149-M, and its implementing regulations, specifically:

RSA 149-M:9, II Disposal of solid waste at an unpermitted solid waste facility.

DES believes that the cited deficiency can be corrected by completing the following requested remedial actions within the time indicated:

1. **Immediately** ensure that all solid waste is disposed at a facility permitted to handle such wastes.
2. **Immediately** remove the unused pile of lactose/yeast mixture for reuse or disposal at a permitted facility.
3. Submit one written status report to DES **within 10 calendar days** of the date of this letter certifying that corrective measures have been implemented and compliance achieved. Include in the report supporting documentation describing those measures taken to achieve compliance.

Please address all correspondence and reports regarding this matter to

DES, WMD
6 Hazen Drive
Concord, New Hampshire 03301-6507

Attention: Kenneth W. Marschner

In the event compliance is not achieved within the time period indicated above, DES may initiate formal enforcement action against you, including issuing an order requiring the deficiencies to be corrected and/or referring the matter to the New Hampshire Department of Justice for imposition of civil and/or criminal penalties. DES reserves the right to pursue administrative fines for the violation(s) noted above.

A goal of DES is to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. DES strives to ensure that pollution prevention options are considered first, followed by recycling, treatment and lastly, disposal. If you have any questions about pollution prevention, please contact Ms. Stephanie D'Agostino at 271-6398.

Your prompt cooperation is appreciated. Please contact Michael Galuszka at (603) 271-3899 if you have any questions or need further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth W. Marschner", is written over a large, bold, black "COPY" stamp.

Kenneth W. Marschner
Administrator
Waste Management Programs

CC: ✓ DB/File
Philip J. O'Brien, Ph.D., Director, WMD
Gretchen Rule, Enforcement Coordinator, DES
City Clerk, Concord, NH
S. D'Agostino, DES
Kendall Perkins, DES
Karlee Kenison, DES

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